

Development Guide

Rockingham County, Virginia



VISION STATEMENT

(As adapted from the 2020 Comprehensive plan draft)

In the years to come, Rockingham County will become an even better place to live, work and recreate for its residents and for visitors. The County will retain the essential historic attributes that make it a great place, including the clean natural environmental resources, the beauty of the farmland and mountains, the harmonious relationship between agricultural and residential land uses, the balanced and vibrant economy and the diverse yet harmonious society with many different cultures. Rockingham County will allow for healthy, managed growth while protecting and capitalizing on the assets which have encouraged people to come here in the first place. The actions of citizens and businesses of the County will reflect our understanding that we do not “own” the land; rather we only borrow it from our children. The County will be a place where our children can live and enjoy the same and better quality of life that we have enjoyed.

Agricultural, Environmental and Historic Resources

Agriculture will continue to be a major part of the local economy and the beautiful, rural landscape, and Rockingham County will remain the leading agriculture county in Virginia. We will have improved the quality of our air, water and soil resources through well-planned development and good farming practices that will create a truly sustainable agriculture. Our rivers, creeks and groundwater resources will be in a nearly natural condition. We will have protected our environment by ensuring that farming, industrial and development practices do not deplete or contaminate natural resources. We will have protected and preserved our archeological and historic buildings and sites for the benefit of future generations.

Pattern of Development

The pattern of new development will reflect the County’s success in achieving controlled, orderly growth. The County will have maintained its rural, agriculture nature by directing new development to areas in or near existing towns and communities served by public water and sewer, and by curtailing development in rural areas served by private wells and septic systems. Public water and sewer service will have been expanded in concert with increases in population and employment. All new development and infrastructure will have occurred in concert with the County’s Comprehensive Plan.

New developments will be community friendly, with mixed-use centers and open space in and around them. These new developments will be relatively small scale and interspersed with plenty of open land and recreational areas, transitioning to open farmland and will blend into the surrounding rural environment. New developments will feature “town-like” residential lots of relatively smaller size and higher density in order to provide pedestrian-friendly streets, interconnected with walking and bicycle paths, and with more trees preserved and planted. The County’s development pattern will feature a mix of growth and agriculture that is sustainable over the long term. Industrial and housing growth will be strategically located in areas near existing infrastructure and major traffic ways.

Transportation

The transportation system will be safe, efficient and economical, and will reinforce the pattern of new development. Existing roadways will have been improved to reasonably accommodate increases in traffic, and new roads will have been carefully located, designed and built to accommodate increases in population while reinforcing an orderly development pattern focused on existing communities. A connector road system around Harrisonburg will have been completed to accommodate future traffic demand and provide a safe and efficient means of moving through and around the City in both the north-south and east-west directions. The connector road system will provide a firm edge to the urban expansion of the larger Harrisonburg community.

Multi-use pathways will have been developed along major roadways to create a Countywide network for pedestrians, bicycles and buggies. The existing state road network will have been upgraded in key locations to create a good road network linking major communities. Public transportation will have been expanded to provide service to those who do not or cannot use personal motor vehicles.

Economy

The local economy will be strong and diverse, with high levels of employment in the industrial and service sectors. This will have produced increases in income and low tax rates, all reinforced by continued growth of the universities. The local tax system will be fair and diversified. Tourism and technology businesses will have driven expansion of the local economy. The County will continue to promote the development of modern telecommunications infrastructure to support continued economic development.

Public Services

Public services will be efficient and affordable and designed and located to meet the needs of citizens of all ages and incomes. The County will have maintained a strong commitment to education and schools have used technology to reduce the size and service area of schools and allow them to become true focal points of smaller communities. All citizens will be well served by an extensive system of park facilities and recreation programs. Good health care will be affordable and available to every citizen.

Housing

Safe, attractive, high quality housing will be available to households of all income levels. Housing for low and moderate-income levels will be dispersed within neighborhoods, but all will be located in areas, which are conveniently accessible to public services. Higher density housing will be located in the Towns and the City.

Governance

Cooperation among local governments will be strong. Rockingham County and the City of Harrisonburg will coordinate all of their policies including land use, transportation, public services and economic development in order to gain efficiencies and economic benefits for both jurisdictions. The County will coordinate its actions closely with the Towns. Citizen involvement will become an important underpinning of all local governmental decision-making, which will allow local governments to become pro-active in identifying problems and fostering solutions.

**ROCKINGHAM COUNTY COMMUNITY
DEVELOPMENT
FOR ASSISTANCE OR INFORMATION**
ON AVAILABLE PROGRAMS AND SERVICES:

Phone: (540) 564-3030

Fax: (540) 564-2922

Email Address: wlvbaughn@co.rockingham.va.us

Office Location: 20 East Gay Street
Harrisonburg, VA

Mailing Address: Rockingham County
Community Development Department
P.O. Box 1252
Harrisonburg, VA 22803

Table of Contents

REZONING AND SPECIAL USE PERMIT PROCEDURE

If the use intended for your property is not permitted as a matter of right in the Zoning Ordinance, you will need to apply for a rezoning or a special use permit.

REZONING: A rezoning is required if your proposed use is permitted neither by right nor as a special use under your property's current zoning classification. If you wish to apply reasonable conditions in addition to the regulations of your desired zoning classification, you may submit these "proffers" in writing with your application. Typically, proffers relate to such things as use restrictions, timing/phasing of development, off-site improvements, additional aesthetic features, capital contributions and similar items not a part of the normal plan approval process.

SPECIAL USE PERMIT: Some uses, because of their unique nature or their impact on adjacent land uses, are not permitted by right, but may, under certain conditions be deemed acceptable in certain locations. If such is the case with the use you have proposed for your property, a special use permit is required. The Zoning Ordinance specifically identifies those uses that require a special use permit in each zoning district.

Note: In some cases both a rezoning and a special use permit may be necessary.

PROCEDURE

STEP 1

For Rezoning and Special Use Permit applications, schedule a meeting or call a staff member of the **Community Development Department**. The office is located in the Rockingham County Government Center, 20 East Gay Street, Harrisonburg.

Phone: (540) 564-3030

Points you should cover during the meeting:

1. Check ZONING MAP to determine current zoning of subject property.
2. Check ZONING ORDINANCE to determine if proposed use is permitted by right or by special use permit.
3. Obtain: application(s), and Schedule of Planning Commission meetings (including deadlines for submissions).
4. Discuss best approach for obtaining approval of proposed activities.

STEP 2

Complete application(s) and submit with fee as soon as possible before deadline. Rezoning applications and Special Use Permit applications should be sent to the **Community Development Department**. Attention to detail is important. Information on applications must be complete and correct and checks must be for correct amounts. Don't miss the deadline. If you have any questions call and ask. The staff will determine if the application is complete and, if so, will begin the review process by distributing it for review to a number of County and state agencies. Public notice of the proposed action is prepared and sent to the local newspaper and to adjacent property owners, and signs are posted on the property. When comments have been returned, the **Community Development Department** prepares an analysis and recommendation for the Planning Commission.

STEP 3

Attend Planning Commission Public Hearing. The staff will present the application and its recommendation. The applicant or applicant's agent can present additional information including a description of the proposed use, maps, plans and architectural renderings. Other area property owners and interested parties are allowed to speak. The Planning Commission will make a decision after discussion of the case. It may make one of the following recommendations (advisory only) to the Board of Supervisors:

- Approval as submitted
- Approval subject to certain conditions or revisions
- Denial, or
- Table the application to a future meeting

Since failure to act within ninety (90) days results in an automatic recommendation of approval, the Commission will likely recommend denial if there continue to be unresolved issues. The ninety (90) day deadline does not apply when the applicant requests or concurs in a delay.

STEP 4

Attend Board of Supervisors Public Hearing. The next step is a hearing before the Board of Supervisors where the prior notice and meeting procedures are basically the same as the Planning Commission. The Board will receive a recommendation from the County Staff as well as the Planning Commission (these recommendations are not always the same) and hear public comments. The Board will take final action after discussion of the information presented during the public hearing and the recommendations of the County Staff and Planning Commission.

The Board will:

- Approve as submitted
- Approve with conditions or revisions (use permits or conditional zoning)
- Deny, or
- Table it to a later meeting
-

The Board must take action within one (1) year of the date a rezoning petition was filed.

STEP 5

Proceed with design of project, assuming approval. (See "Site Plan Procedure" or "Subdivision Procedure")

TIME: A minimum of sixty (60) to ninety (90) days, after the application deadline, is needed to complete this process if the application is not delayed by the applicant or deferred by the Commission or Board.

TERM: Special use permits are generally approved for an initial one (1) year period which can be renewed for an additional one (1) year period if the applicant notifies the Zoning Administrator in writing. Special use permits expire in one (1) year unless implemented on the site. See Sections 17-207 of the Zoning Ordinance for additional information on Special Use Permits.

VARIANCE, EXCEPTION AND APPEAL PROCEDURE

If you are not able to develop your property in accordance with required zoning or subdivision requirements and there are no alternatives which allow compliance with required codes, or you are aggrieved by the decision of a County official, you may seek relief from the Board of Zoning Appeals.

You should be aware that approval of your request for relief is not automatic and the Board of Zoning Appeals will judge each application against specific criteria established for each category of relief.

PROCEDURE

STEP 1

For an application, schedule a meeting or call the Zoning Administrator in the Department of Community Development. The office is located at 20 East Gay Street in Harrisonburg. **Phone: (540) 564-3030**

Points you should cover during the meeting:

1. Check code requirements to determine how it affects your property.
2. Determine whether alternatives exist which would satisfy code requirements.
3. If no alternatives are available, determine which type of relief is needed (i.e. variance, exception, appeal). Also determine the degree of relief needed (i.e. 35' setback instead of a 50' setback).
4. Study the review criteria for your particular type of request to determine whether your request would likely be approved or denied by the Board. Review criteria for variances and exceptions can be found in the Zoning Ordinance (Sections 17-215, 218, 219 and 220). The Zoning Administrator can provide you with the criteria utilized for appeals.
5. Obtain: Application, list of review criteria and schedule of Board of Zoning Appeals meetings and submission deadlines. The Board typically meets only once a month and applications must be received approximately one month in advance.

STEP 2

Complete the application and submit with fee to the Zoning Administrator as soon as possible and before the submission deadline. A plat or plan and any other supporting documents must accompany the typical application. The property owner's signature must appear on each application. The staff will determine if the application is complete and, if so, will begin the process of soliciting comments from applicable agencies as necessary. Public notice of the proposed action is prepared and sent to the local newspaper and to adjacent property owners. The Zoning Administrator will prepare a staff report but will not typically include recommendations for approval or denial in it.

STEP 3

Attend Board of Zoning/Subdivision Appeals public hearing. The staff will present the application and background information. The property owner or agent can present additional information and/or explain to the Board how your request meets the applicable review criteria. Other area property owners and interested parties are allowed to speak. The Board of Zoning/Subdivision Appeals will make a decision after discussion of the case. The Board may make one of the following decisions:

- Approval
- Approval subject to certain conditions
- Denial, or
- Table it to a later meeting

The Board has ninety (90) days to act on an application. The 90-day deadline does not apply when the applicant requests or concurs in a delay.

SUBDIVISION PROCEDURE

This procedure applies to any proposed division of land in Rockingham County that creates 3 or more lots. The review procedure is as noted below:

- First Stage - Preliminary Plan
- Second Stage - Construction Plan
- Third Stage - Final Plat

The Construction Plan and Final Plat Procedure may be repeated for each section of the subdivision.

PROCEDURE

Before you begin preparation of the Preliminary Plan, it is strongly recommended that a meeting be scheduled with a staff member of the **Community Development Department**. The office is located at 20 East Gay Street, Harrisonburg. Phone (540) 564-3030

Points to be covered at the meeting:

1. Check zoning of property to determine if the proposed use and density is permitted under the current zoning classification. See "Rezoning/Special Use Permits" for procedure.
2. Review your proposed development with a staff member. You should bring with you any information, plats, or a sketch plan that will aid in the review and illustrates your proposal.
3. Learn about County plans, policies, and ordinances that may affect your proposed development.
4. Determine if additional agency review will be required for your proposed use.
5. Obtain: Application, checklist, and ordinances.

A. PRELIMINARY PLAN

STEP 1

Have Preliminary Plan prepared by a design professional. See the Subdivision Ordinance sections on Preliminary Plans and Design Standards, and the Zoning Ordinance, for General Lot, Yard, Height, Buffer and Use Regulations for more detailed information.

STEP 2

Submit application, eleven (11) **folded** copies of the Preliminary Plan, and the review fee. Incomplete submissions will not be accepted. The staff will determine if the submission is complete and, if so, will begin the review process by distributing it to a number of County and state agencies.

In general, Preliminary Plans are reviewed by County agencies and comments are returned to the **Community Development Department** within three (3) weeks, unless the plan is extremely complex or there is an extraordinary workload. State agencies are asked to observe the same review period and to notify the **Community Development Department** when additional time is needed. Upon receipt of comments, the **Community Development Department** will identify any major area of conflict or inconsistency and resolve them, if possible, before forwarding the comments to the engineer.

STEP 3

Make changes to the Preliminary Plan as per comments and resubmit the required number of copies.

TIME: A maximum of 21 days for each submission or resubmission is the goal for completing the review process for projects. But some projects may take up to sixty (60) days to complete, depending on the workload.

TERM: Preliminary Plans are valid for a term of one (1) year after approval.

B. CONSTRUCTION PLAN

STEP 1

Assuming the Preliminary Plan is returned approved, proceed by preparing the next level of subdivision drawings - the construction drawings. The Erosion and Sediment Control Plan will be part of the submission (see the EROSION AND SEDIMENT CONTROL PROCEDURE section of this guide).

These plans follow the same review procedure as the Preliminary Plan.

STEP 2

Submit required drawings to the reviewing agencies.

STEP 3

Make changes and resubmit until plans are approved.

STEP 4

Assuming approval of the Construction Plan, payment of fees and issuance of permits, you have three options prior to recordation:

1. Begin and complete all construction and acceptance of required public improvements. (i.e.- utilities, drainage, streets, etc.)
2. Begin construction and complete some part of the public improvements and submit a Subdivision Agreement and Surety to guarantee completion and acceptance of the remaining improvements.
3. Submit a Subdivision Agreement and Surety in lieu of completion of all improvements.

If option #2 or #3 is chosen, the following items must be submitted to the Department of Community Development:

1. Documentation of the cost of all public improvements, with the cost of all incomplete public improvements clearly defined, preferably in the form of copies of contractor's bids. However, cost estimates prepared by a certified professional engineer are acceptable. These cost estimates must be detailed in nature and relate to the various elements of construction, including but not limited to the cost of the public water system (lines, fire hydrants, etc.), the sanitary sewer system (gravity lines, manholes, force main, pump station, etc.), the storm drainage system (storm sewer lines, inlet and outlet structures, detention basins, etc.), and the street improvements (stone base, curbing, asphalt, landscaping, streetlights, street signs, etc.). This information is needed for establishing the surety amount.

2. Subdivision Agreement covering proposed construction and acceptance of all public improvements.
3. Irrevocable letter of credit (sample included in Subdivision Agreement), certified or cashier's check, or evidence of cash escrow in an amount approved by the County after review of the cost estimates. If a letter of credit is used, its expiration date must be at least sixty (60) days after the estimated date of completion set forth in the subdivision agreement. Also, the date of the subdivision agreement should be the same as the date of the letter of credit.
4. Appropriate documentation, such as minutes of a Board of Directors' meeting, setting forth the authorization for the person(s) signing the agreement, the final plat, and other associated documents to do so on behalf of the developer/property owner.

TIME:

As the State Code allows the County 60 days to complete all reviews, an aggressive schedule can be met only if the developers and the design professionals meet their obligations and exchange information in a timely manner.

TERM: One (1) year to file final plat after approval of the Construction Plan.

C. FINAL PLAT AND RECORDATION

STEP 1

Assuming completion and/or approval of one of the options listed in the Construction Plan procedure STEP 4, proceed with the preparation and submittal of copies of the Final Plat.

STEP 2

Submit eleven (11) **folded** copies of plat and fee.

STEP 3

When comment letter is received, make changes, if necessary, and resubmit for approval.

STEP 4

When the Final Plat has been approved, submit original with signatures, other applicable fees, and copies of all other required documents to the **Community Development Department**. The Record Plat (reproducible copies of the Final Plat) will be reviewed to ensure that it is in full conformance with the approved Final Plat. The Subdivision Agent will sign each copy, and return the original to the engineer, the plat must be taken to the **Clerk of the Court's** office for recordation.

STEP 5

Complete any outstanding construction, request inspections, and have public improvements or plans accepted by the County and/or VDOT. Release of surety will follow, upon completion and acceptance of public improvements.

STEP 6

Once the plat is recorded and five (5) working days have elapsed and infrastructure is within ninety (90) days of completion, proceed with the Building Permit Procedure or the selling of lots.

TERM: Six (6) months after the Final Plat approval to have Record Plat recorded in the office of the **Clerk of the Court**.

SUBDIVISION APPLICATION

Date Received: _____	Fee: _____	Tracking #: SD-_____ - _____
Time Received: _____	Receipt #: _____	Application Type: <i>(check one)</i>
Accepted By (initials): _____	Prelim. Meeting Date: _____	New <input type="checkbox"/> Revision of Plan in Process <input type="checkbox"/>

Subdivision Name: _____

Section Number (if applicable): _____

Type of Plat: ☐ Preliminary ☐ Final Construction Plan Submission Date: _____

Contact Person : _____ Daytime Phone: _____

Contact Person's Address: _____

Engineer/ Surveyor (if different): _____

Developer: _____ Daytime Phone: _____

Developer's Address: _____

Property Owner: _____

Tax Map Number: _____ Acres: _____ Zoning: _____

Location: _____

Number of Lots: _____ Type of Dwelling Units: _____

INDICATE METHOD OF:

Water Supply: Community System Public Water Well Provider: _____

Sewage Disposal: Community System Public Sewer Septic System Provider: _____

- ◆ Please submit eleven (11) copies of the subdivision plat with this application
- ◆ Please complete and sign the preliminary plat submission requirements checklist
- ◆ Reminder: After approval of the preliminary plat, construction plans are to be submitted to this office for disbursement
- ◆ Fees must be paid at the time of submittal
- ◆ Please include one (1) copy of the subdivision on 8.5' x 11' paper

PRELIMINARY PLAT SUBMISSION REQUIREMENTS

In accordance with the Rockingham County Code and policies of the Community development Department, the following information shall be included and submitted on the preliminary plat. If the required information is not on preliminary plat lot layout sheet (if more than one sheet included), it must be indicated below as to what page it is located. Specific items that are required on the lot layout sheet are indicated below.

Due to the number of persons or agencies required to view preliminary plats, eleven (11) copies are needed instead of six (6) as stated in the ordinance. If the plat is on paper larger than 8 ½" x 14", the paper must be folded and ready to forward to reviewing entities.

<u>INCLUDED</u>	<u>SHEET</u>	<u>ITEM</u>
		(1) <u>MAY BE ON A TITLE SHEET</u>
_____	_____	(a) Name of subdivision with section number, if applicable
_____	_____	(b) Name and address of owner and/or subdivider
_____	_____	(c) Name, address, phone number, and fax number of surveyor or engineer
_____	_____	(d) Signed surveyor's seal – can have written over it "not for recordation"
_____	_____	(e) Date of drawing
_____	_____	(f) Number of sheets
_____	_____	(g) North arrow and scale
		(2) <u>INSET MAP (MAY BE ON TITLE SHEET)</u>
_____	_____	(a) Scale of not less than 1" equals 2,000 feet
_____	_____	(b) Nearby towns and cities
_____	_____	(c) Nearby subdivisions
_____	_____	(d) Roads (with their names and numbers)
_____	_____	(e) Demarcation of site of subdivision and plat
_____	_____	(f) Other distinguishing landmarks
		(3) <u>REQUIRED ON LOT LAYOUT SHEET</u>
_____	_____	(a) Boundary survey or existing survey of record
_____	_____	(b) Total acreage
_____	_____	(c) Acreage of subdivided area
_____	_____	(d) Number and approximate area of all building sites
_____	_____	(e) Computations showing conformance with density
_____	_____	(f) Open space and coverage requirements of zoning ordinance
_____	_____	(g) Existing buildings within boundaries of the subdivision
_____	_____	(h) Names of owners and their property lines within the boundaries of the subdivision
_____	_____	(i) Names of owners, zoning, and tax map numbers of adjoining properties
_____	_____	(j) Lot number, size (square footage or acreage) of each lot, dimensions of each lot, and setback lines on each lot (shown on the lot)

(4) STREET & UTILITY INFORMATION (ON LOT LAYOUT SHEET)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- (a) Existing, platted and proposed streets and easements
- (b) Street names, route numbers and widths
- (c) Statement as to whether roads are state or private
- (d) Public areas and parking spaces
- (e) Existing and proposed utilities shown on each lot with dimensions (please do not reference in a note)
- (f) Statement on plat about utilities (water and sewer and what entity will provide them.
- (g) Other pertinent information as required or that you feel will be helpful

(5) TOPOGRAPHIC INFORMATION (MAY BE ON SEPARATE SHEET)

_____	_____
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Compiled by either field or photogrammetric methods at a contour interval of not greater than five (5) feet, showing all the area covered by the subdivision. Properly related to coast and geodetic survey data showing the boundary lines of the tract to be subdivided.

(6) FLOODPLAIN INFORMATION (LOT LAYOUT SHEET)

_____	_____
_____	_____
_____	_____

- (a) Location of 100-year floodplain
- (b) Location of floodway area
- (c) Designate flood zone.

_____	_____
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- (7) All parcels of land intended to be dedicated or reserved for public use or to be reserved in the deed for the common use of property owners of the subdivision.

_____	_____
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- (8) Show areas designated in the County Comprehensive Plan as proposed sites for schools, parks, or other uses including floodplains which are located wholly, or in part, within the lands being subdivided

_____	_____
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- (9) Plans indicating the provisions for all utilities, including, but not limited to, the proposed method of providing drainage, water supply, and sewage disposal as well as plans for culverts and bridges

_____	_____
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- (10) Zoning classifications and proposed use for the area being subdivided (Lot layout sheet or cover sheet)

_____	_____
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- (11) Indicate conformance with pertinent proffers resulting from a rezoning

_____	_____
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- (12) Proposed sedimentation and erosion control measures.

Please sign below to certify that to the best of your knowledge the above required information is included on the preliminary plat. A copy of this form and appropriate fees must be included with your preliminary plat submission to initiate the review process.

Applicant

Date

SITE PLAN PROCEDURE

A site plan is required for all proposed land uses **except**:

- Single-family detached and individual duplex dwellings
- Agricultural operations
- Filling and grading where no impervious structures or improvements will be installed and no clearing undertaken

An approved site plan is required before issuance of building permits.

PROCEDURE

STEP 1

It is strongly recommended that a pre-submission meeting be scheduled with a staff member of the **Community Development Department**. The office is located at 20 East Gay Street, Harrisonburg. **Phone: (540) 564-3030**

Points to cover at the meeting:

1. Check zoning of property to determine if the proposed use is permitted as a matter of right under current zoning classification. If not - see "Rezoning/Special Use Permit" for procedure.
2. Review your proposed development for the site. You should bring with you any information, plats, or plans you have that will aid in the review and illustrate your proposal.
3. Learn about County plans, policies, and ordinances that may affect your proposed development. Ask about the preliminary site plan review process if you are interested in expediting your project.
4. Obtain: Applications, checklist, and ordinances.

STEP 2

Have plan prepared by engineer, architect, landscape architect or land surveyor who is registered by the State of Virginia.

STEP 3

Submit application, nine (9) **folded** copies of the Site Plan, and the review fee. Incomplete submissions will not be accepted. The staff will determine if the submission is complete and, if so, will begin the review process.

In general, site plans are reviewed by County agencies and comments are returned to the **Community Development Department** within three (3) weeks unless the plan is extremely complex or there is an extraordinary workload. State agencies are asked to observe the same review period and to notify the **Community Development Department** of any major areas of conflict or inconsistency and resolve them, if possible, before forwarding comments to the engineer and developer.

STEP 4

Make changes to site plan as per comments and resubmit the required number of **folded** copies along with a copy of initialed comments and/or letter which describes how each comment was addressed or why comment was not addressed.

STEP 5

Once the plans have been approved, proceed by paying applicable fees and obtaining permits.

(See: **EROSION AND SEDIMENT CONTROL PROCEDURE and BUILDING PERMIT PROCEDURE**)

TIME: A maximum of 21 days for each submission or resubmission is the goal for completing the review process for projects. Some projects may take up to 60 days to complete, depending on the workload.

Date Received: _____
Time Received: _____
Accepted By (initials): _____

Fee: _____
Receipt #: _____
Prelim. Meeting Date: _____

Tracking #: SP - _____ - _____
Application Type: *(check one)*
New ☐ Revision of Plan in Process ☐

Business Name: _____

Business Address: _____

Contact Person: _____ Daytime Phone: _____

Contact Person's Address: _____

Property Owner: _____

Tax Map Number: _____ Acres: _____ Zoning: _____

Type of Business: _____ Hours of Operation: _____

Proposed Use(s) of Building(s) and/or Site: _____

Size of Building: *Existing:* _____ *Proposed:* _____

Amount of Space Being Used: _____
(if not entire building or site)

Number of Employees: *Currently:* _____ *New Employees:* _____

Number of Parking Spaces: *Currently:* _____ *New Spaces:* _____
(shall comply with Rockingham County Zoning Ordinance)

Size of Sign Associated with this Business: _____ Projected Water Usage _____ gallons/day
(shall comply with Rockingham County Zoning Ordinance) *(if public water or sewer)*

INDICATE METHOD OF:

<u>Water Supply:</u>	Community System	Public Water	Well	Cistern
<u>Sewage Disposal:</u>	Community System	Public Sewer	Septic System	Alternative

SUBMISSION REQUIREMENTS:

In accordance with the Rockingham County Code, the information outlined on the attached checklist shall be included and submitted on the site plan sheet, unless otherwise noted. If the required information is shown on the site plan sheet, respond with "yes" in the column labeled "Included (Yes/No)". If the required information is located on a different sheet, please identify the appropriate sheet name and number for that line item.

Due to the number of persons or agencies required to view site plans, nine (9) copies are required. If the site plan is larger than 8 1/2" x 14", it must be folded to that size for forwarding to all review persons and agencies. The site plan shall be drawn to scale with the scale shown.

In addition, the applicant is required to provide two (2) copies of the full construction plans to the County.

Applicant's Signature

Property Owner's Signature (if different)

If site plan submission is more than one sheet, please give sheet name and number for each item.

Indicate Sheet Name and Number		Included Yes/No (if no, explain)	Item
Site plan			1 Development/ Site Plan Name
Site plan			2 Vicinity map, showing:
			a) location of tract, lot, or development
			b) roads (road names or route numbers)
			c) bodies of water
			d) town or city corporate boundary
			f) other landmarks sufficient to clearly identify location of property
Site plan			3 Tax map number, zoning, scale of drawing and north arrow
Site plan			4 Boundary survey of the tract, lot or development
Site plan			5 FEMA Flood Zone designation, with location of flood plain/ floodway
Site plan			6 Existing and proposed buildings on subject property, showing
			a) location, with distances to property lines, roads & rights-of-way
			b) dimensions, including building height
			c) Statewide Uniform Building Code Use Group
Site plan			7 Existing land use and zoning for adjoining properties
Site plan			8 Location and dimensions of easements: utility, drainage, rights-of-way
Site plan			9 Utilities, showing:
Site plan			a) types and location
			b) grades (may be on separate sheet)
Site plan			c) existing/proposed fire hydrants, manholes, cleanouts, water meters
			d) pipe sizes (may be on separate sheet)
			10 Fire protection requirements, showing:
Site plan			a) location of hydrants, both on-site and within 1,000 feet of site
Site plan			b) location of fire lanes
			c) I.S.O. Needed Fire Flow Calculations (may be on separate sheet)
Site plan			11 Existing and proposed streets, showing names, numbers and widths
Site plan			12 Existing and proposed off-street parking, including:
			a) show individual parking spaces, with dimensions of each space
			b) lot layout, showing traffic flow and aisle widths
			c) dimensions of the parking area and distance to property lines
			d) loading spaces, with dimensions
			e) spaces as required by A.D.A., with dimensions
			f) type of surfacing
			g) calculation method for number of spaces required
			h) location, height and type of existing/proposed lighting structures
Site plan			13 Vehicular entrances/exits to the tract, lot or development, showing:
			a) location and dimensions
			b) design
			14 Provisions for adequate disposition of natural and storm water (may be on separate sheet)
			15 Proposed erosion and sediment control measures (may be on separate sheet)
			16 Provision for adequate screening for uses not conducted within a completely enclosed structure or for areas of storage of any materials

EROSION AND SEDIMENT CONTROL PROCEDURE

If you propose to grade, excavate, fill, clear, or otherwise disturb land in Rockingham County, you will have to comply with the requirements of the EROSION AND SEDIMENT CONTROL ORDINANCE (E&SO), Chapter 6B of the County Code, and obtain a Land Disturbing Activity Permit.

PROCEDURE

STEP 1

It is strongly recommended that a meeting be scheduled with the erosion and sediment control administrator in the **Community Development Department**. The office is located at 20 East Gay Street, Harrisonburg. This meeting can be combined with a pre-submission meeting for a subdivision or site plan. **Phone: (540) 564-3030**

Points to cover at the meeting:

1. Review your proposed construction activity or development, bring with you any information, plats or plans you have, that will illustrate your proposed project.
2. Determine if the Erosion and Sediment Control Ordinance applies to your proposed development.
3. Obtain: Application, checklist, and sample agreement package, and ordinance.

STEP 2

Have plans prepared in accordance with the provisions of the ordinance.

STEP 3

Submit application, two (2) **folded** copies of the plan, including narrative description, and the fee, to the erosion and sediment control administrator.

If your proposal is part of a subdivision or site plan submission, the plan will be reviewed and comments returned as part of the County's response, as described in the procedures for Site Plan and Subdivision Review.

If not included in the subdivision or site plan submission, comments will be returned to you by letter by the erosion and sediment control administrator..

STEP 4

Make changes as required by comments and resubmit.

STEP 5

Assuming approval, proceed by submitting Performance Agreement and Surety in the amount stated in approval letter. The Surety must be issued for a term extending a minimum of sixty (60) days beyond the performance date set on the agreement. Schedule a pre-construction meeting with the Erosion and Sediment Control Administrator. A surety is also required to cover the cost of installation E&S measures. This will be returned at the end of the construction once the area is stabilized.

STEP 6

Attend pre-construction meeting. The developer or his representative, the site work contractor, and the inspector will meet at the site. Prior to the meeting, the limits of clearing must be flagged and tree protection measures installed, in accordance with the Virginia Erosion and Sediment Control Handbook. Assuming everything is in order, the Land Disturbing Activity Permit will be issued at this meeting.

STEP 7

After the installation of all temporary and permanent erosion and sediment control practices, clearing, grading and construction of site improvements can begin. You may also proceed with the Building Permit process.

STEP 8

Call for final inspection, when all land disturbing activities are complete and all disturbed areas are permanently stabilized. The Inspector will issue a Letter of Completion when the site work is approved.

TIME: For review as part of a subdivision or site plan, see those procedures. In other cases, the plan must be approved or disapproved within forty-five (45) days of its submission.

Final inspections will be made within two (2) working days of such a request, if possible. Release of surety will occur within sixty (60) days of the issuance of a "Letter of Completion".

TERM: The Permit is valid for up to one (1) year and may be extended for an additional one (1) year with the approval of the Administrator (E&S 10-18). The permit will become void if you fail to begin work within six (6) months of issuance of permit .

Rockingham County
Erosion and Sediment Control
Plan Review and Inspection Policy

Fee Schedule
(Effective February 13, 2002)

The following fees are hereby established for plan review and inspection of land-disturbing activities which require a permit or an agreement in lieu of a plan as applicable:

- (1) For the issuance of an agreement in lieu of a plan--thirty dollars (\$30.00).
- (2) For commercial and industrial and other residential land disturbing activities, as follows:
 - a. Disturbed area up to five (5) acres--fee shall be two hundred dollars (\$200.00) plus forty dollars (\$40.00) for each acre, or part thereof.
 - b. Disturbed area of more than five (5) acres but not more than fifteen (15) acres--fee shall be four hundred dollars (\$400.00) plus thirty dollars (\$30.00) for each acre, or part thereof, over five (5) acres.
 - c. Disturbed area of more than fifteen (15) acres--fee shall be seven hundred dollars (\$700.00) plus twenty dollars (\$20.00) for each acre or part thereof, over fifteen (15) acres.
- (3) For agricultural land-disturbing activities, as determined by the zoning administrator, which are not exempt from this chapter--seventy-five dollars (\$75.00).
- (4) In addition to Sections (2) and (3) above, if a plan is incomplete there shall be a fee of twenty-five dollars (\$25.00) for plan review of a resubmitted plan.
- (5) For single-family residential up to 5 acres, one hundred and fifty dollars (\$150.00) plus thirty dollars (\$30.00) per acre or part thereof; greater than 5 acres reverts to Section (2) above.

Rockingham County
Erosion and Sediment Control
Unit Prices For Determining Bond Fees
Effective February 13, 2002

<u>PRACTICE</u>	<u>UNIT</u>	<u>PRICE PER UNIT</u>
Check dam	ton	\$275.00
Construction entrance	each	\$850.00
Culvert inlet/outlet protection	each	\$150.00
Construction road stabilization	sq/yd	\$4.50
Diversion dike/ditch	LF	\$3.50
Energy dissipators	each	\$775.00
EC-1 Type A	sq/yd	\$22.00
EC-2	sq/yd	\$6.00
EC-3	sq/yd	\$7.00
Grouted riprap	sq/yd	\$80.00
Inlet protection, gravel type	each	\$85.00
Paved ditch	sq/yd	\$50.00
Riprap	ton	\$85.00
Sediment trap	each	\$2,250.00
Sediment basin	each	\$3,400.00
Silt fence	LF	\$3.50
Sodding	sq/yd	\$2.75
Straw bale	each	\$3.50
Detention system, below ground	cu/ft	\$8.00
Detention basin, above ground	each	\$2,350.00 plus \$7.00/cu yd storage
Seed and mulch (all non-stabilized disturbed areas)	acre or part	\$2,400.00
Topsoil (on site) (+/- 480 cu yds/ac avg 4" depth)	cu/yd	\$2.50
Topsoil (off site) (+/- 480 cu yds/ac avg 4" depth)	cu/yd	\$10.00

PUBLIC UTILITIES

PUBLIC SYSTEMS are regulated by Chapters 16A, 18, and 19 of the Rockingham County Code which are administered by the **Department of Public Works** located at 20 East Gay Street Harrisonburg. **Phone (540) 564-3020**

• **PUBLIC WATER:** Rockingham County is the primary supplier of water to the County. In other parts of the County there are several different suppliers (City of Harrisonburg, the incorporated Towns, the Massanutten Public Service Corporation and privately owned systems) that serve residents and businesses in this area. Procedures and design requirements for extending water service in the County vary, so please check with the **Department of Public Works** for information specific to your site. The water connection fees are based on the size water meter or meters to be installed for the development. The connection fees will also vary depending upon your water supplier.

• **PUBLIC SEWER:** The public sewer systems are owned and operated by the County of Rockingham as well as the aforementioned other agencies. The sanitary sewer connection fees are based on the size and number of water meters serving the development. Plans for sewer and water connection are typically a part of a Subdivision or Site Plan submittal, and as such must be formally submitted to the **Department of Public Works/Community Development** for review and approval. Should you have any questions concerning the design of the public facilities or the applicable connection fees please call the **Department of Public Works** at **(540) 564-3020**.

TRANSPORTATION

HIGHWAY RIGHT-OF-WAY PERMITS

The Virginia Department of Transportation (VDOT) has the responsibility of maintaining all public streets and highways within Rockingham County. Because of this responsibility, SUBDIVISION and SITE PLANS are forwarded to the Harrisonburg VDOT Resident Engineer's Office for review and may be forwarded by the Harrisonburg office to the Staunton District Office for additional review.

Once SUBDIVISION and SITE PLANS have been returned to you approved, and prior to issuance of building permits or construction, you must contact the Resident Engineer's Office for Land Use Permits for work planned within the highway right-of-way, including utilities, drainage, road tie-ins and temporary entrances.

For more information on VDOT requirements, please contact the Harrisonburg Resident Engineer's Office, located on North Valley Pike, Harrisonburg. **Phone: (540) 434-2586**

SIGN PERMITS

Any sign that is erected, altered, expanded, reconstructed, replaced, or relocated on any property in Rockingham County must be in conformance with the provisions in the Zoning Ordinance, Article V. Before submitting an application for a sign, it is strongly recommended that you call the **Department of Community Development** to explore your options and to determine if your proposal is feasible. **Phone: (540) 564-3030**

An application for a sign permit should consist of a drawing depicting the proposal and should include:

- size of the sign (in square footage)
- artistic rendering of the sign
- height of the sign from finished grade
- a depiction of the landscaped area at the base of the sign

The applicant should also:

- include a plot plan with a drawing of the proposed placement area, showing the distance in feet that the sign will be from all property lines.

Note: the minimum distance of a sign from property lines is 10 feet

- indicate whether or not the sign will be lighted either internally or externally. If so, the applicant should identify the electrical firm responsible for the lighting.

Applications should be submitted to the **Department of Community Development** located at 20 East Gay Street in Harrisonburg.

BUILDING PERMIT PROCEDURE

A building permit is required for most improvements made to real property, including alterations and repairs to structures.

PROCEDURE

STEP 1

Submit application to the **Department of Community Development**, located at 20 East Gay Street in Harrisonburg. **Phone: (540) 564-3030**

In addition to the application, the following must be submitted for building permits:

NEW COMMERCIAL AND OTHER USES REQUIRING SITE PLANS

- approved Site Plan, and applicable receipts and documentation
- approved Land Disturbing permit
- septic system permit from State Health Department
- two (2) sets of plans signed and sealed by the engineer or architect responsible for the design
- VDOT Land Use Permit

NEW RESIDENTIAL CONSTRUCTION - Single family detached

- two (2) sets of plans
- property plot plan, showing the dimensions from property lines to proposed construction
- copy of the septic system permit, approved by the State Health Department
- VDOT Entrance Permit

ADDITIONS, ALTERATIONS, ACCESSORY BUILDING, ETC.

- two (2) sets of plans
- property plot plan showing location of proposed construction
- septic system permit for additions and detached buildings

SWIMMING POOLS

- property plot plan showing location of pool
- plans or installation instructions

The plans will be reviewed by the Plans Examiner for compliance with the applicable building codes (copies of codes can be purchased from the Division of Building Regulation). In addition, receipts and documentation will be checked to insure all other required fees have been paid and permits issued.

TIME: Depending on complexity - five (5) to twenty-four (24) days is required to review plans. When plans have been approved and permits issued, construction can begin.

STEP 2

Begin construction.

STEP 3

When all work is *completely* ready for inspection, call for all required inspections. Inspections are carried out as soon as possible, normally on the next working day that the call is placed.

STEP 4

When all work is completed, call for the final building inspection.
When all inspections are completed and approved (including agency and site inspections) a CERTIFICATE OF OCCUPANCY will be issued.

Construction Standards



AREA REGULATIONS

Lot size, yard dimensions, and height regulations are provided by district in table 17-113. The sections of this division are additional regulations.

Area regulations for residential lots in the A-1 district.

Lots of less than forty (40) acres created in the A-1 district after November 14, 1990, for the purpose of residential development, as provided for in section 16-9(b) of the Rockingham County Code, shall have a minimum area of one (1) acre.

Special provision for corner lots.

(a) The side yard on the side facing the side street shall be thirty-five (35) feet or more for both main and accessory buildings in all zoning districts except R-4 and R-5 districts;

(b) For subdivisions platted after April 1, 1985, each corner lot shall have a minimum width at the setback line of one hundred twenty-five (125) feet or more in R-1, R-2, A-1, A-2, and A-3 and a minimum width of one hundred (100) feet or more in the R-3 district.

Modification of yard requirements.

Minimum setback requirements of this chapter for yards facing streets shall not apply to any lot in conventional subdivisions platted prior to October 14, 1969 where the average setback on developed lots within the same block and zoning districts and fronting on the same street is less than the minimum. In such cases, the setback on such lot may be less than the required setback, but not less than the average of the existing setbacks on the existing developed lots.

Height exceptions.

No structure shall exceed the height limit of the applicable zoning district stated in table 17-113 of this chapter without complying with one (1) or more of the following exceptions, and when not otherwise restricted by division 8 of this article.

(a) Structures shall be permitted to a height of forty-five (45) feet and, in industrial districts, to sixty (60) feet, provided that for each one (1) foot a structure exceeds thirty-five (35) feet in height the minimum yard requirements from any street right-of-way or single-family residential district or agricultural district shall be increased by two (2) feet.

(b) A public or semi-public building such as a school, church, library or general hospital may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased by one (1) foot for each foot in height over thirty-five (35) feet.

(c) Structures exceeding the heights identified above, or structures where required increased setbacks will not be met, may be permitted by special use permit. Fire safety measures and cross section drawings or other illustrations of the physical impact the structure will have upon the area may be required as part of special use permit application.

(d) The height limitations of this chapter shall not apply to roof superstructures or nonresidential penthouses covering less than twenty-five (25) percent of the roof area, parapet walls not more than four (4) feet in height, nor to tanks, towers, conveyors, farm buildings, steeples, flagpoles, antenna, smokestacks and public monuments. Structures exceeding two (200) feet in height shall require written approval from the Federal Aviation Administration.

AREA REG CHART

STRUCTURES

Townhouse, Condominium, and Multifamily regulations for the R-3 district.

Townhouses, Condominiums and Multifamily dwellings shall be subject to the following regulations which shall be controlling in all cases where they are in conflict with or differ from other regulations in this chapter and in all cases of variances or conflict with chapter 16 of this code. In addition, townhouses, condominiums, and multifamily dwellings shall be subject to site plan review as described in section 17-206.

(a) Common areas shall be maintained by and be the sole responsibility of the developer-owner of the development until such time as the developer-owner conveys such common area to a nonprofit corporate owner whose members shall be all of the individual owners of the townhouses in the townhouse development or a homeowners association or a legally established condominium owners association. Said land shall be conveyed to and be held by the aforementioned owner solely for recreational parking purposes of the individual units in the development. In the event of such conveyance by the developer-owner to an aforementioned owner, deed restrictions and covenants, shall provide, among other things, that any assessments or charges for cost of maintenance of such common areas shall constitute a prorata lien upon the individual units. Maintenance of townhouse or building exteriors, laws, refuse handling, lighting and drainage shall be provided in a similar manner so as to discharge any responsibility from the county.

(b) Each dwelling unit shall comply with off-street parking standards of this chapter and such spaces shall be provided on the lot or within one hundred fifty (150) feet thereof. Parking shall not occur in the thirty-four foot access easement.

(c) Each townhouse, condominium, or multifamily dwelling shall front on a dedicated public street or a thirty-four-foot minimum width private access easement. If access is to be provided by means of a private access easement, the following minimum standards of development shall be observed:

- (1) Concrete curb and gutter on both sides of street or easement;
- (2) At a minimum, a sidewalk four (4) feet in width shall be constructed in front of the building and extend to the state maintained roadway, the sidewalk should be constructed of concrete, brick, stone, gravel, or some other material of reasonable durability and safeness and provide convenient pedestrian travel;
- (3) Dead end streets and Cul-de-sacs shall meet the requirements of 16-15 Streets – General standards of design and maintenance guarantees.

- (d) Condominium and Multifamily dwelling developments may be exempted from the minimum width at the setback requirement, provided the density does not exceed 12 dwelling units per acre. The maximum length of any continuous multifamily or condominium structure shall be two hundred feet.

(e) Additional Townhouse requirements:

- (1) No more than ten (10) townhouses shall be included in any townhouse grouping.
- (2) Attached townhouses shall be separated by a noncombustible party wall to the roofline.
- (3) The facades of dwelling units in a townhouse development shall have varying front yards of not less than two (2) feet and variation in materials or design, so that not more than four (4) abutting units will have the same front yard depth or the same, or essentially the same, architectural treatment of facades.

Additional dwellings on a single lot or parcel.

Only one (1) dwelling shall be permitted on a lot or parcel unless specifically provided for in the district regulations except in the A-1, A-2 and A-3 districts, as follows:

(a) When the arrangement of additional dwellings are in such a manner that if the lot or parcel of land is ever subdivided, no substandard lots or nonconforming buildings are created;

- (1) Two (2) dwellings are permitted;
- (2) More than two (2) dwellings may be permitted by special use permit on lots or parcels where there are at least twenty (20) acres per additional dwelling.

(b) Replacement dwellings must conform to yard setback requirements and the dwelling being replaced must be removed from the lot within six (6) months of the issuance of a certificate of occupancy for the replacement dwelling

Accessory uses, buildings, or structures.

The location of accessory buildings, structures, or uses in all agricultural, residential, commercial, and industrial districts as specified must meet the following conditions:

(a) Where a structure is attached to the main building, it shall become a part of the main building and shall comply in all respects with the requirements applicable to the main building;

(b) An accessory structure, if situated within the side yard of the main building, shall meet minimum side yard requirements for a main building for the district in which the lot is located;

(c) No accessory structure shall be closer than five (5) feet to any property line in the rear yard;

(d) No structure may be located in the front yard of a residence in the R-1, R-2 and R-3 districts. In all zoning districts other than R-4 and R-5 districts, buildings or structures shall comply with the minimum setback requirements as set forth in table 17-113;

(e) In residential districts, all accessory buildings, structures, and uses shall be less than the main building in height;

(f) No additions may be made to an accessory building greater than five hundred eighty (580) square feet, using outside dimensions, unless building meets main building setback.

Temporary buildings.

Office trailers and temporary buildings or structures in conjunction with construction work only may be permitted in any district, but shall be removed immediately upon completion of construction or within a period not to exceed one (1) year from time of placement, whichever comes first. The one (1) year period may be extended upon written approval of the zoning administrator in one (1) year increments.

PARKING AND LOADING

Off-street parking.

Off-street automobile storage or parking space shall be provided on every lot which any permitted or special use is established in accordance with this chapter

General requirements.

For the purpose of this chapter, the following general requirements are specified:

- (a) The term "off-street parking space" shall mean a space at least nine (9) feet wide and nineteen (19) feet in length if designed for 90 degree parking. All other spaces shall be designed at least ten (10) feet wide and twenty-two (22) feet in length. In addition, there shall be sufficient area for maneuvering as shown in the chart below.

Traffic aisles in parking lots shall conform with the following criteria:

Angle of Parking	Traffic Direction	Aisle Width*
(a) Parallel	One-Way	12 feet
(b) 30 degrees	One-Way	12 feet
(c) 45 degrees	One-Way	12 feet
(d) 60 degrees	One-Way	18 feet
(e) 90 degrees	One-Way	24 feet

*Minimum width of traffic aisles in parking lots for two-way traffic shall be twenty-four (24) feet. Additional width may be required if needed for access of emergency vehicles.

(b) Parking spaces shall be provided for all dwellings. Where on-street parking on public streets is not provided, off-street parking shall be provided on the same lot as the dwelling (except townhouses). Parking for townhouses shall be located within the townhouse development not more than one hundred fifty (150) feet of a townhouse.

(c) If off-street parking cannot be reasonably provided on the same lot on which the main use is conducted, such space may be provided on other off-street property provided such space lies within one hundred fifty (150) feet of the property line of such main use.

(d) In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is so mentioned and to which such use is similar shall apply. In the case of mixed uses, the total requirements of the various uses computed separately shall be required.

(e) Whenever in any building or structure there is a change in use, or change in number of employees or an increase in floor area, or in any other unit of measurement specified to indicate the required number of off-street parking spaces, parking facilities shall be increased on the basis of the total new units of measurement of the use, or the altered or expanded existing use. If a change in use creates a need for an increase of less than five (5) off-street parking spaces, no additional parking facilities shall be required.

(f) Area reserved for off-street parking in accordance with the requirements of this chapter shall not be reduced in size, encroached upon, or changed to any other use unless the use which it serves is discontinued or modified.

(g) Off-street parking existing at the effective date of this chapter, in connection with the operation of an existing building or use, shall not be reduced to an amount less than hereinafter required for a similar new building or use. Existing off-street parking which is provided in an amount less than the requirements stated hereinafter shall not be further reduced.

(h) Handicapped accessible parking spaces.

1. A parking lot servicing a building, entrance to a building or structure for the use of an assembly, business, factory and industrial, institutional, mercantile, and residential shall have the number of level parking spaces set forth in the following table and identified by above grade signs as reserved for physically handicapped persons, as required by ADA.

2. For every eight or fraction of eight accessible parking spaces, at least one shall be a van accessible parking space. Van accessible spaces shall have an access aisle 8 feet wide, minimum.

3. All other accessible spaces will be adjacent to an access aisle with a minimum width of five feet.

Table 17-122

Accessible Parking Spaces for Handicapped

Total Parking in Lot	Required Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	(20 plus 1 for each 100 over 1,000)

Site requirements.

All off-street parking shall be laid out, constructed and maintained in accordance with the following requirements:

(a) All such parking areas, except those serving single-family and two (2) family dwellings, shall be maintained with pavement, concrete, gravel or other dust-proof surface as approved by the reviewing agent. A good stand of vegetative cover shall be maintained on the remainder of the lot;

(b) The parking area shall be set back a minimum of ten (10) feet from property lines. Parking facilities shall be so designed to prevent parked vehicles from extending beyond the limits of the parking area and to prevent damaging effects to adjoining or nearby properties from surface drainage from the parking facilities;

(c) Lighting facilities shall be so arranged that light is directed away from adjacent properties and public rights-of-way. Lights are to be a sharp cut-off design in a fixed position, which orients the light down and provides only 0.5 foot-candles maximum at the property line. This includes pole mounted lights and wall mounted lights (wall packs). Canopy lights are to be recessed or a surface mounted cut-off fixture that will direct light straight down. Two copies of the manufacturer cut sheet of each type light used should be provided at either the site plan or building plan review phase.

Parking space requirements for all districts.

There must be access from the off-street automobile storage area or parking space to a street or road and shall be equal in area to at least the minimum requirements for the specific land use set forth. (See Table 17-124

Off-street loading and unloading space.

Off-street loading and unloading spaces shall be provided as hereinafter required by this chapter:

(a) Size of off-street loading spaces and tractor trailer spaces. Each off-street loading space shall have minimum dimensions of fourteen (14) feet in height, twelve (12) feet in width, and fifty (50) feet in length.

(b) Connection to road or street. Each required off-street loading space shall have direct access to a road or street or have a driveway which offers satisfactory ingress and egress for trucks. Documentation shall be provided to ensure adequacy of ingress and egress from the off-street loading spaces, to include at a minimum turning radius overlays.

(c) Floor area over ten thousand (10,000) square feet. There shall be provided for each hospital, hotel, commercial or industrial building, or similar use requiring the receipt or distribution of materials or merchandise, and having a floor area of more than ten thousand (10,000) square feet, at least one (1) off-street loading space for each ten thousand (10,000) square feet of floor space or fraction thereof. Such space shall be so located as not to hinder the free movement of pedestrians and vehicles over a sidewalk or road.

(d) Floor area less than ten thousand (10,000) square feet. There shall be provided for each hospital, hotel, commercial or industrial building required receipt or distribution of materials or merchandise and having a floor area of less than ten thousand (10,000) square feet, one (1) off-street loading space (which may be shared by adjacent establishments) so located as not to hinder the free movement of pedestrians over a sidewalk or road.

(e) Bus and trucking terminals. There shall be provided sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loaded at the terminal at any one time. Documentation showing adequacy in the number and size of spaces with reference to national standards shall be provided.

(f) Location of off-street loading spaces. All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve, or on adjacent lot when shared with the use occupying said adjacent lot

(g) Permanent reservation. Area reserved for off-street loading in accordance with the requirements of this chapter shall not be reduced in area or changed to any other use unless the use which is served is discontinued or modified, except when equivalent loading space is first provided that meets the requirements herein.

Table 17-124	
Land Use	Parking Requirements
(a) Living facilities:	
(1) Single and two-family	Two (2) spaces for each dwelling unit;
(2) Multifamily dwellings (excluding housing for the elderly and/or physically handicapped)	One and one-half (1 1/2) spaces for units of two (2) bedrooms. More than two (2) bedrooms per unit requires two spaces. For efficiency and one (1) bedroom apartments, one (1) space per dwelling unit shall be provided;
(3) Hotels/motels	One (1) space for each bedroom plus one (1) additional space for each two (2) employees;
(4) Manufactured homes	Two (2) spaces per mobile home;
(5) Boarding house operations, fraternity or sorority house	One (1) space for each bedroom;
(6) Travel trailer parks	One (1) space for each travel trailer, motor home or camper.
(7) Bed and Breakfast	<i>Two (2) spaces per single family unit plus one (1) space per guest room.</i>
(b) Public Assembly:	
(1) Churches and other houses of worship	One (1) space for each three (3) seats in the main sanctuary;
(2) Assembly halls, stadiums, coliseums, and civic centers; theater operations	One (1) space for each three (3) seats;
(3) Libraries, art galleries, and museums	One (1) space for each five hundred (500) square feet of gross floor area;
(4) Clubs, residential clubhouse, community centers, fitness clubs	One (1) space for each three (3) members. If not formal membership, at least twenty-five (25) parking spaces shall be provided;

(5) Schools, including child care centers	One (1) space for each three seats in assembly hall, or one (1) space for each employee, including teachers and administrators, whichever is greater. Additionally one visitor space shall be provided for each 20, (or fraction there of) spaces. High Schools shall provide an additional one space for each three students. Business, vocational schools or colleges shall provide an additional one space per student.
(6) Temporary events including tent meetings, circuses, carnivals, fairs, sideshows, and music festivals	One (1) space per three (3) persons estimated attendance;
(7) Dance halls, pool rooms, and other places of recreation or amusement without fixed seating arrangements	One (1) space per each one hundred (100) square feet of floor area;
(8) Bowling alleys	Four (4) spaces for each alley.
(c) Health Facilities:	
(1) Group homes, nursing home, or home for adults, hospitals (regular and special care), rehabilitation facilities	One (1) space for each four (4) beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employees on the maximum working shift;
(2) Housing for elderly and/or physically handicapped	Two (2) spaces for each dwelling unit of which one (1) space shall be of a minimum width of twelve (12) feet .
(3) Clinic services; laboratory operations, office use (medically oriented)	Three (3) spaces for any one (1) of the following: physician, dentist, or surgeon; Plus one (1) space for each two hundred (200) square feet of floor area.
(4) Funeral home and mortuaries	One (1) space for each fifty (50) square feet of floor area;
(5) Animal hospitals and kennel operations	Three (3) spaces for each veterinarian and employee. Not to be less than ten (10) spaces.
(d) Businesses:	

(1) Auto service and repair establishments, public garages	One (1) space for each regular employee plus one (1) space for each two hundred fifty (250) square feet of floor area;
(2) Auto sale or rental establishment	One (1) space per 500 square feet of enclosed sales/rental area, plus one (1) space per 2500 square feet of open sales/rental display lot area, plus two (2) spaces per service bay, plus one (1) space per employee; not to be less than five total spaces. These spaces are in addition to the space required for outside display.
(3) Food stores, including general, country or convenience stores, grocery stores	One (1) space for each one hundred (100) square feet of floor area, convenience stores located on a Virginia primary highway shall also provide two (2) spaces suitably sized for tractor trailers;
(4) Restaurants, including drive-in eating facilities, snack bars, and all similar dining and/or drinking establishments	One (1) space for each three (3) seats provided for patron use, plus one (1) space for each seventy-five (75) square feet of floor area provided for patron use, but not containing seats; plus one space per employee with a minimum of six employee spaces provided.
(5) Office buildings including banks, savings and loan and other financial activity, administrative, service business, commercial and professional offices and buildings; but not including medical, dental, and health offices, and clinics	One (1) space for each three hundred (300) square feet of ground floor area, plus one (1) space for each five hundred (500) square feet of upper floor space;
(6) General business, commercial or personal service establishments catering to the retail trade but excluding food stores	One (1) space for each two hundred (200) square feet of floor area;
(7) Beauty and barber shop	One (1) space for each chair and employee;
(8) Self-service laundromats	One (1) space for each two (2) washing machines;

(9) Governmental offices	One (1) space for each three hundred (300) square feet of ground floor area, plus one (1) space for each five hundred (500) square feet of upper floor area, and one (1) space for each governmental vehicle;
(10) Shopping centers and malls	Five (5) spaces for each one thousand (1,000) square feet of leasable area;
(11) Furniture stores	One (1) space for each five hundred (500) square feet of floor area designed for retail sales;
(12) Public utilities such as telephone, electric, power, and gas substations	One (1) space.
(13) Outdoor Sales/Display Area, not listed above	<i>One (1) space per 500 square feet of open sales/display area plus one (1) space per employee</i>
(e) Industries:	
(1) Commercial, manufacturing and industrial establishments not catering to the retail trade	One (1) space for each employee on the maximum working shift, plus one (1) space for each company vehicle operating from the premises;
(2) Commercial, manufacturing and industrial establishments catering to the retail trade; not otherwise listed	One (1) space for each employee on the maximum working shift, plus one (1) space for each company vehicle operating from the premises, plus one (1) space per 200 square feet of customer service area, but with a minimum of one (1) space per 1000 square feet of gross floor area.

(3) Wholesale establishments	One (1) space for every fifty (50) square feet of customer service area, plus one space per employee on the maximum working shift, plus one (1) space for each company vehicle operating from the premises, but with a minimum of one (1) space per 1000 square feet of gross floor area.
(4) Mini-warehouse establishment	Three (3) spaces per 1000 feet of gross office area, plus one (1) space per employee, and two (2) spaces for a resident manager. The width of travel aisles for vehicular access and loading and unloading shall be subject to the approval of the reviewing parties.

SIGNS

General.

Notwithstanding any other section of this chapter to the contrary, the regulations set forth in this section shall govern signs

Intent.

The purpose of the following sign requirements is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic business climate, and enhance and protect the scenic and natural beauty of Rockingham County. It is further intended to reduce sign or advertising distraction and obstructions that may be caused by signs overhanging or projecting over public right-of-way, to provide more open space, and to curb the deterioration of the natural environment and enhance community development

General requirements.

The following regulations shall apply to all signs, regardless of the zoning district in which located:

- (a) Sign area shall be measured within a continuous perimeter enclosing the entire display face of the sign, including background, framing, trim, molding and other borders, but excluding supports and uprights unless such supports or uprights are designed as an integral part of the display for the purpose of illustration or attraction. Where a sign consists of two identical parallel faces, which are back to back, and located not more than twenty-four inches (24") from each other, only one side of such sign shall be used in computing the area. The area of signs with more than two (2) faces or with faces which are not parallel or in the same plane with each other shall be the sum of the areas of all the sign faces. The area of a cylindrical sign shall be computed by multiplying one-half ($\frac{1}{2}$) the circumference by the height of the sign. Where individual letters, characters or figures are mounted so as to use a building facade as a background, the area of such sign shall be determined by computing the sum of the area within the outer perimeter of each individual character or figures comprising the total message, symbol or advertisement.
- (b) The maximum allowable accumulative sign area permitted on any parcel shall be calculated with respect to the principal street frontages of a parcel to which the parcel has direct access. Unless otherwise specified, the maximum allowable accumulative area shall be based on the width of the face of the principal building parallel or nearly so to the street frontage. All permanent signs, unless specifically exempted by the terms of this article, shall be counted in the calculation of maximum accumulative sign area.

(c) The height of signs shall be the vertical distance measured from the average finished grade ground elevation ten feet (10') from where the sign is located to the highest point of the sign. The maximum allowable height of signs shall be as specified by the regulations established herein.

(d) No sign, unless herein exempted, shall be erected, constructed or altered until a permit has been issued by the county. Fees for sign permits shall be in accordance with the schedule of fees adopted by the board.

(e) Any sign pertaining to a nonconforming business, commercial or industrial use, other than a home occupation as defined by this ordinance, located within a residential district, shall be deemed a nonconforming structure.

(f) No signs shall be permitted in conjunction with any business activity not possessing a valid site plan approval issued by the county.

(g) No sign, other than a sign approved or installed by the Virginia Department of Transportation, shall be located within or over any public right-of-way.

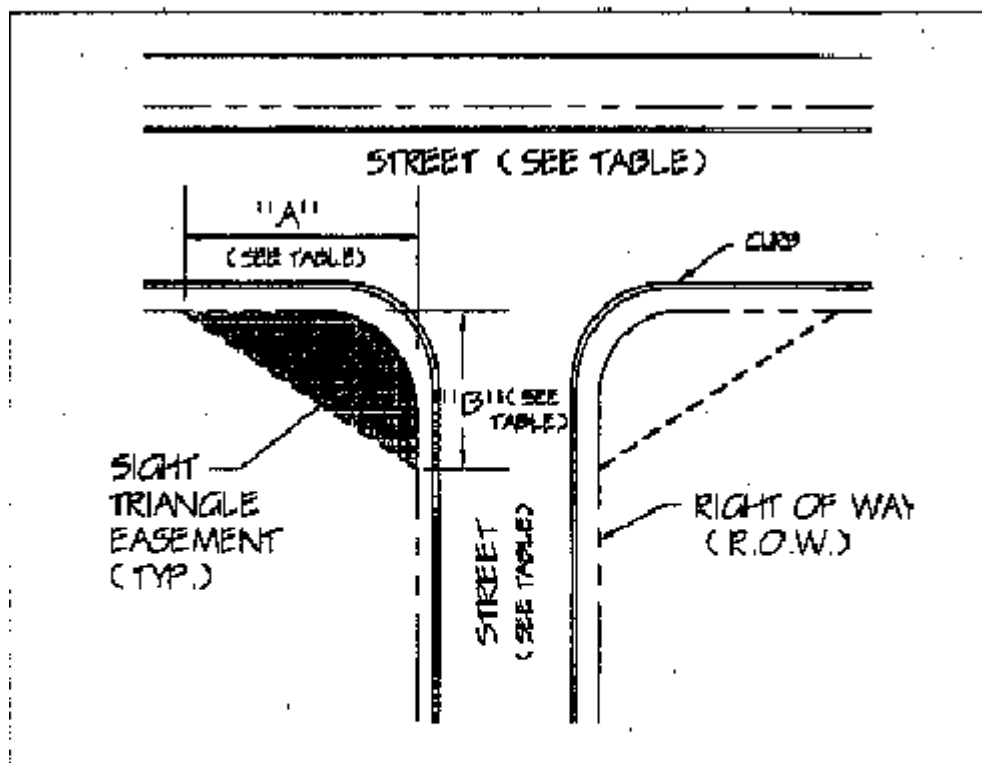
(h) No sign shall be erected within the area encompassed by a sight triangle. Sight triangles shall be required at all street intersections and site entrances. Sight triangles shall include the area on each corner of a street or entrance that is bounded on two (2) sides by lines running along the pavement edges of the intersecting streets between the sight points and the point of intersection, and on the third side by a straight connecting line (hypotenuse) connecting the sight points. The sight point locations shall be determined as follows based on the roadway classification:

<u>Street Classification *</u>	<u>Distance of Sight Point from Point of Intersection</u>
Access Street	20
Subcollector	20
Minor Collector	30
Major Collector	40
Minor Arterial	50
Major Arterial	60

*As defined by VDOT

(1) Signs, plantings, structures or other obstructions, which obscure or impede sight lines between three (3) feet and six (6) feet in height above grade, shall be prohibited within the sight triangle.

(2) The sight triangle shall be clearly shown and its purposes noted on all plats and plans.



(i) No sign, whether permanent or temporary, shall be attached to trees, utility poles or other supporting structures, unless specifically authorized by the zoning administrator.

(j) Except in the case of shopping centers, and corner and through lots, not more than one (1) permanent free-standing sign shall be permitted for each lot or parcel. The minimum setback of any free-standing sign, or any portion thereof, from any property line shall be ten feet (10').

(k) Corner and through lots shall be entitled to one (1) free-standing sign for each road frontage provided, however, that this provision shall not apply along road frontages where restricted access easements are in place.

(l) Except in the Industrial Zoning districts, no sign, whether temporary or permanent, shall be taller than, extend over, or above the ridgeline of any roof or the top of any parapet wall of a building.

(m) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Light shall not shine or reflect in an offensive manner on or into residential structures or motels. No exposed reflective type bulbs or incandescent lamps shall be used on the exterior surface of any sign in such a manner that will cause offensive glare on adjacent property or create a traffic hazard.

(n) A landscaped planting area shall be provided around the base of any free-standing identification sign. The planting area shall contain four (4) times the area of the sign, be a minimum of six feet (6') in width, be protected from vehicular encroachment, and be landscaped with a combination of low-growing shrubs and groundcovers (other than grass), including at least six (6) shrubs. The landscape treatment shall be designed and maintained to not exceed a height of three feet (3') above grade.

Temporary signs.

The zoning administrator, upon application, may issue permits for the following temporary signs:

(a) Signs not exceeding thirty-two (32) square feet in area, which promote a special civic, cultural or religious event such as a fair, exposition, play, concert or meeting sponsored by a governmental, charitable or religious organization. The duration of such permit shall not exceed thirty (30) days.

(b) Banners when used in conjunction with the opening of a new business or an establishment going out of business in any business or industrial district. The duration of such permit shall not exceed thirty (30) days.

(c) Temporary portable signs, not exceeding thirty-two (32) square feet in area or one (1) per parcel, which are intended to identify or display information pertaining to an establishment for which permanent free-standing signage is on order as evidenced by presentation of a copy of an executed order form for such permanent signage to the Zoning Administrator. Such permit shall expire and the portable sign shall be removed upon erection of the permanent sign or thirty (30) days whichever shall occur first.

(d) Banners when used to announce the grand opening and initiation of sales or leasing of lots and/or dwelling units within a newly developing residential project having at least ten (10) lots or units. The cumulative area of all such banners erected for any single residential project shall not exceed forty (40) square feet. Banners shall not be illuminated. The duration of such permit shall not exceed thirty (30) days.

(e) Banners when used to announce special events such as new home shows being conducted within a residential subdivision or development. The cumulative area of all such banners erected for any single event shall not exceed forty (40) square feet. Banners shall not be illuminated. Such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within seven (7) days following the closing of the event; provided, however, that no banner shall be permitted to remain in place for any event for more than thirty (30) days between the first appearance and removal of the banner.

(f) With the approval of the Virginia Department of Transportation, the zoning administrator may authorize banners to be suspended above a public road right-of-way for a period not to exceed seven (7) days or the duration of the event being announced or promoted plus three (3) days, whichever shall be greater.

(g) Political headquarters signs in commercial and industrial districts which are in addition to the signs otherwise permitted on the subject property and which do not exceed thirty-two (32) square feet may be erected not earlier than sixty (60) days prior to the election, canvass, or primary to which such signs pertain and shall be removed within seven (7) days following the election, canvass or primary.

Permissible signs in all districts.

The following signs may be erected, altered or maintained in any zoning district when in accordance with the general provisions established in section 17-131, provided however, that permits shall not be required unless specifically noted.

(a) Signs erected and maintained pursuant to and in discharge of any federal, state or county governmental function, or as may be required by law, ordinance or governmental regulation including official traffic signs and signals, warning devices and other similar signs.

(b) Memorial signs or tablets, cornerstones or names of buildings when cut into masonry or when constructed of bronze or other noncombustible material, but not to exceed six (6) square feet in area.

(c) Non-illuminated construction signs, not exceeding thirty-two (32) square feet in area and six feet (6') in height and limited to one sign for each street frontage, when displayed on the premises to which such sign refers. No such signs shall be permitted unless a building permit has been issued or unless a site plan for the proposed development has been submitted to the county for official review. Such signs shall be removed at the completion of construction.

(d) Non-illuminated realty signs, not exceeding six (6) square feet in area and four feet (4') in height in all single family residential districts, and thirty-two (32) square feet and six (6) feet in height in all multi-family, business and industrial zoning districts, and limited to one sign for each street frontage, and only when displayed on the premises to which such sign refers.

(e) Non-illuminated signs identifying official state automobile inspection stations and the inspection number which is then due, provided that such signs shall not exceed sixteen (16) square feet in area and shall be limited to one sign for each street frontage. "A-frame" designs shall be considered as a single sign for the purposes of this section.

(f) Bulletin boards for churches or other permanent places of worship, or for public buildings, when located on the same premises as the building to which they refer, and provided that such signs shall not exceed twelve (12) square feet in area and six feet (6') in height. If such sign is a free-standing or illuminated sign, a permit shall be secured.

(g) Non-illuminated political signs and posters of less than or equal to six (6) square feet in area, provided that all such signs shall be removed within seven (7) days following the election, canvass, or primary.

(h) Non-illuminated signs and posters of less than four (4) square feet in area advertising or providing directions to a residential, civic or community operated yard or garage sale or an estate sale or auction.

(i) Signs attached to machinery or equipment which is necessary or customary to a business including, but not limited to, devices such as gasoline pumps, vending machines, ice machines, etc., provided that such signs refer exclusively to products or services offered on the premises.

(j) On-premises directional signs, not exceeding three (3) square feet in area and three feet (3') in height and not containing any advertising material or discernible business logo. A permit shall be secured for any illuminated signs.

(k) Signs displayed in the windows of establishments permitted in commercial and industrial districts provided, however, that such signs shall not occupy more than twenty-five percent (25%) of the total area of the window in which they are displayed and shall not be legible from any public street.

(l) Menu boards which are either free-standing or wall signs providing information on food and beverages offered for drive-in sales on the premises, provided that such signs and any business logos thereon are not legible from any public right-of-way and do not exceed twenty-four (24) square feet and provided further that only one such sign shall be permitted per lot. A permit shall be secured.

(m) Signs or scoreboards within a ball park or other similar public or private recreational use which are not legible from a public street or adjacent properties.

(n) Flags, emblems or insignia of the United States, the Commonwealth of Virginia, Rockingham County, religious groups, civic organizations, service clubs and similar organizations, groups, agencies, etc. One (1) corporate logo emblem flag per parcel shall be permitted. Flagpoles shall conform with the height regulations of the district in which located.

(o) Non-illuminated signs warning trespassers or announcing property as posted, not to exceed four (4) square feet per sign. Such signs may be located on trees or, with the permission of the owner, utility poles.

(p) On-premises safety and directional signs within a business or industrial district which are not visible from a public right-of-way or abutting property lines. A permit shall be secured for any free-standing or illuminated sign.

(q) Special notice placards, not to exceed a total of four (4) square feet in area for all such placards of any establishment, attached to a building or to a free-standing sign indicating credit cards which are accepted on the premises, group affiliations of which the business is a member, or clubs or groups which utilize, recommend, inspect or approve the business for use by its members. A permit shall be secured for any illuminated signs.

(r) Identification and directional boards, which are either free-standing or wall signs, designed as an outdoor means of providing information concerning the location of individual establishments or offices within an office, retail or industrial complex, provided that such signs are not legible from any public right-of-way and do not exceed twenty-four (24) square feet and provided further that only one such sign shall be permitted per lot. A permit shall be secured for any free-standing or illuminated sign.

(s) Identification signs for churches and schools, regardless of the district in which located, shall be permitted provided that they are of a ground mounted monument type and do not exceed forty (40) square feet in area and six (6) feet in height. A permit shall be obtained.

Signs as permitted uses.

The following table indicates the structural class, area, height, and type of illumination of signs permitted within each of the zoning districts.

(1) Insert Sign Table

Special sign regulations applicable to shopping centers over 15,000 square feet.

- (a) All signs shall comply with the general provisions specified in this chapter unless otherwise specified.
- (b) The following provisions shall apply to shopping center free standing signs, notwithstanding the district in which located:
 - (1) One (1) free standing sign shall be permitted for each street frontage.
 - (2) The maximum area of any one (1) free standing sign shall be one hundred fifty (150) square feet.
 - (3) The maximum cumulative free standing sign per shopping area shall be two hundred (200) square feet.
- (c) Each individual tenant within a shopping center shall be permitted one (1) marquee or canopy sign provided that such sign shall not exceed a maximum area of three (3) square feet and shall have a minimum ground clearance to the bottom of the sign of not less than eight (8) feet.
- (d) *In addition to the marquee or canopy sign, wall signs shall be permitted provided that the cumulative area of such signs, including the marquee sign, shall not exceed the maximum cumulative sign area allowable in the district in which located, as specified in section 17-134.*
- (e) Individual free-standing signs for individual shopping center tenants shall not be permitted. For the purposes of this section, lawfully subdivided outparcels which have been depicted on the approved shopping center site plan shall be considered as separate parcels and may be signed as such.

Signs as special use.

- (a) The board may authorize, by special use permit issued in accordance with all applicable procedural requirements, increases in sign area and sign height in the following situations:
 - (1) When unusual topography, vegetation, or the distance from the road right-of-way would impose substantial hardship by making a sign, otherwise permitted by the terms of this chapter, ineffective and unreadable from vehicles on adjoining roadways; or
 - (2) When the nature of the individual project, size or shape of the parcel of land being developed or relationship to existing adjacent development would accommodate a sign of greater area or height.
- (b) In authorizing signs in either of the above situations, the board shall limit the area, height, and location of such signs to that which, in its opinion, is reasonably in keeping with the provisions of this chapter.

Off-premises directional signs:

(c) The zoning administrator may authorize, by permit, the installation of off-premises directional signs for churches, civic organizations, governmental functions, hospital-based emergency centers and similar activities or establishments, subject to the following findings and conditions:

- (1) The location of the use to which the sign pertains prevents adequate identification by such signs as are normally permitted.
- (2) The function of such signs shall be limited to directional or identification purposes.
- (3) The location of such signs shall be consistent with the uses existing or permitted on the site of such sign. A written authorization from the owner of the property on which such sign is proposed to be located or a recorded easement permitting the placement of the sign shall be submitted to the zoning administrator at the time of application for necessary permits.
- (4) Such signs shall be subject to the maximum area and height standards established in section 24.1-703 and to all other applicable provisions of this article. Not more than three (3) such signs shall be permitted for any single use. All off-premises directional signs, except those permitted under section 17-135(d) below, shall have a background color of green, blue or brown with white letters

(d) Off-premises directional open house signs may be erected in any zoning district when in accordance with the general provisions established in section 24.1-702 and subject to the following conditions:

- (1) The function of such signs shall be limited to directional purposes, as opposed to advertisement of an individual realtor or realty firm. No specific realtor or realty firm name(s) shall appear on such signs provided, however, that the registered trademark of the National Association of Realtors and the equal housing opportunity logo shall be permitted.
- (2) Such signs shall refer only to real estate open houses whose purpose is to sell, lease, or rent residential property.
- (3) No such sign shall exceed three (3) square feet in area and three feet (3') in height.
- (4) Such signs shall be located only at intersections where a turning movement is indicated.
- (5) No more than two (2) such signs shall be located at any one intersection, nor shall such signs at the same intersection point in the same direction.
- (6) Such signs shall be displayed only when the residential unit is open for public viewing.
- (7) Such signs shall be placed only on privately owned property and only with the express consent of the owner of said property.

Signs prohibited in all districts.

The following signs are prohibited in all districts:

- (a) Abandoned Signs
- (b) Banners, pennants, festoons, search lights (except as allowed 17-132).
- (c) Signs imitating or resembling official traffic or government signs or signals.
- (d) Signs attached to trees, utility poles, public benches, streetlights, or placed on any public property or public right of way, unless otherwise specified in this chapter.
- (e) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign (this does not apply to allowed portable signs or signs or letters on buses, taxis, or vehicles operating during the normal course of business).

Maintenance, removal and nonconformance of signs.

(a) All signs and sign structures shall be kept in repair and in proper state of preservation. All unsafe signs must adhere to the provisions of the building code. All signs deemed unsafe by the Zoning Administrator must be repaired or brought into compliance with the provisions of the building code.

(b) If a business is moved or abandoned, signs advertising such business shall be removed within thirty (30) days following such abandonment or relocation.

(c) Existing signs, which do not conform, to the specific provisions of the Ordinance may be eligible for the designation "legal nonconforming" provided that:

- (1) The Zoning administrator determines such signs are properly maintained and do not in any way endanger the public.
- (2) The sign was installed in conformance with a valid permit or variance, or complied with all applicable laws on the date of adoption of this Ordinance.
- (3) The business advertised is still in legal operation.

(d) A legal nonconforming sign may lose this designation if:

- (1) The sign is relocated or replaced.
- (2) The structure or size of the sign is altered in any way except toward compliance with this Ordinance. This does not refer to change of copy or normal maintenance.

- (f) The legal nonconforming sign is subject to all requirements of this code regarding safety, maintenance, and repair. However, if the sign suffers more than fifty (50) percent damage or deterioration, as based on appraisal, it must be brought into conformance with this code or removed. If legal nonconforming and damaged the sign as determined by the Zoning administrator shall have to meet section 17-160.

MANUFACTURED HOMES, MANUFACTURED HOME PARKS, AND MANUFACTURED HOME SUBDIVISIONS

Manufactured home requirements--Generally.

Any manufactured home placed in Rockingham County, whether in a park, subdivision or on private land, after the date of enactment or amendment of this chapter shall meet the following requirements:

(a) All manufactured homes shall display a HUD seal of approval or the seal of a testing facility approved by the State of Virginia. All manufactured homes shall meet the plumbing, electrical, building, and anchoring requirements of the Uniform Statewide Building Code.

(b) All manufactured homes shall be completely skirted, such that no part of the undercarriage shall be visible to a casual observer and with a durable material with a life expectancy of at least five (5) years. Any manufactured home shall be skirted within sixty (60) days of final inspection.

(c) All wheels, tongues and similar devices designed for the transportation of the unit shall be removed within sixty (60) days of final inspection. Property owner or park owner shall report back to the zoning administrator that they have been removed.

(d) Manufactured homes shall be considered main structures and subject to the regulations and provisions pertaining thereto; and in addition, a manufactured home shall not be located in a subdivision which is devoted to or is to be devoted exclusively to single-family dwellings.

(e) Manufactured homes are allowed to be located on property for residential single-family dwelling purposes only, except that manufactured homes may be used as offices on a manufactured home dealers lot and as an office in a manufactured home park or subdivision by the park owner or manager of the park or subdivision.

(f) Manufactured homes shall not be used for storage buildings in Rockingham County, and no manufactured homes shall be stored on property in Rockingham County except on manufactured home sales lots approved by the county.

(g) No manufactured home shall be moved onto any lot, whether in a park, subdivision or on private land without first obtaining proper permits from the county.

(h) Gasoline, liquefied petroleum, gas or oil storage tanks shall be so installed as to comply with all county, state and federal fire prevention and protection regulations.

Manufactured home accessory structures--Generally.

All manufactured home accessory structures, whether in a park, subdivision or on private land, erected or constructed after the date of enactment or amendment of this chapter shall meet the following requirements:

(a) All manufactured home accessory structures shall meet the requirements of the Uniform Statewide Building Code.

(b) Except in the case of an awning or other shade structure, where a manufactured home accessory structure is attached to the manufactured home unit, a substantial part of one (1) wall of the accessory structure shall be flush with part of the manufactured home unit or such accessory structure shall be attached to the manufactured home unit by means of a roof.

(c) Manufactured home accessory structures shall not exceed the height of the manufactured home.

(d) Any accessory structure placed on a manufactured home lot shall be accessory only to the manufactured home.

(e) Porches may be placed to manufactured homes, provided they are constructed in accordance with the provisions of the Uniform Statewide Building Code. As a minimum a three (3) feet by three (3) feet landing shall be required at each door and shall be in place prior to final inspection and occupancy of the home. Any porch or deck over three (3) feet by three (3) feet shall be considered a part of the main building and shall meet main building setbacks.

(f) No porches, decks, or accessory structures to any manufactured home shall be constructed or erected, whether in a park, subdivision or on private land, without first obtaining proper permits from the county.

Manufactured home parks.

In addition to the requirements set out in section 17-138 and 17-139, manufactured home parks must also meet the following requirements:

(a) *Area, setback and lot requirements.* All manufactured home parks shall meet the following area and setback requirements:

- (1) All manufactured home parks shall have a minimum area of at least ten (10) acres. A minimum of three (3) spaces shall be completed and ready for occupancy before the first occupancy is permitted.

- (2) The overall density of any manufactured home park shall not exceed four (4) lots per net acre. For density purposes, a net acre shall not include any land in the 100-year floodplain or land used for streets and other public purposes.
- (3) The minimum area of any site within a manufactured home park devoted to common open space shall be ten thousand (10,000) square feet.
- (4) Each manufactured home lot within a manufactured home park shall be a minimum of ten thousand (10,000) square feet with a minimum street frontage of fifty (50) feet. Lot coverage, herein defined as the percentage of the manufactured home lot area covered by the home and any accessory structure, driveway and parking area, excluding patios, shall not exceed forty (40) percent for a given lot.
- (5) Any manufactured home located on a manufactured home lot within the park shall have the street address located on the end of the manufactured home facing the street. These numbers shall be in accordance with chapter 2, section 2-165(a) and (b) of the Rockingham County Code.
- (6) No main or accessory structure shall be located closer than thirty-five (35) feet nor farther than fifty (50) feet from any street right-of-way. Minimum setback for a main or accessory building in a manufactured home park shall be thirty-five (35) feet with a maximum setback of fifty (50) feet. No main building shall be located closer than twenty-five (25) feet to any property line of a manufactured home park. A manufactured home shall be located at least ten (10) feet from its lot lines. No accessory building shall be located closer than five (5) feet to any lot line of a manufactured home park.

(b) *Manufactured home park accessory structures.* All manufactured home accessory structures in a manufactured home park must meet the requirements of section 17-139, except accessory structures shall be allowed in any nonconforming manufactured home park only if setbacks can be met.

(c) *Manufactured home park application and preliminary site plan required with rezoning request.* Applicants for manufactured home parks shall meet the following minimum requirements for site plans to be submitted with an application for zoning amendment to a manufactured home district:

- (1) Site plans shall be legibly drawn to scale.
- (2) A vicinity map showing the location and area of the proposed park.
- (3) The boundary lines, area and boundary dimensions of the proposed park.

- (4) The location and dimensions, if any, of all existing streets and street rights-of-way, easements, water, sewerage, drainage facilities, and other community facilities and utilities on and adjacent to the proposed park.
- (5) Proposed layout, including interior streets with dimensions, location and type of solid waste collection facilities, lot lines, dimensions, and areas of manufactured home lots; common open space and recreation areas, common parking areas and other common areas; recreation buildings, if any, and other permanent structures.
- (6) Plan for adequate drainage with street and lot plan designed to avoid drainage problems. Proposed layout shall consider terrain and its effect on adequate drainage away from proposed lots and in the design of streets with channels or drainage structures to assure that ponding or other associated drainage problems will not occur.
- (7) The site plan shall be accompanied by a narrative statement describing how the standards and requirements set forth herein are to be met; a statement that there will be an adequate supply of potable water from either a public water supply system or from a private water system conforming to all applicable laws, regulations, resolutions and ordinances, and a statement that there will be an adequate sewer system. Both statements on water and sewer shall have preliminary approval from the health official or the director of public works, where appropriate.

(d) *Final site plan requirements following rezoning.* Upon zoning approval, manufactured home park site plans shall include the following additional information. The final site plan shall be in substantial accordance with the site plan presented with a zoning amendment and shall receive approval from the health official or agent of a community water or sewer system when such a system is to serve the park, transportation engineer, and the zoning administrator prior to application for manufactured home placement permits. The additional information shall include:

- (1) The date of the site plan, the name of the surveyor or engineer preparing it, and the number of sheets comprising the site plan.
- (2) The name and signature of the owner, the name of the proposed park; and name of each street within the park; said name of the park and name of each street shall be named according to the established guidelines and procedures, set forth by resolution, in the road/street and subdivision naming manual as amended. Street identification signs of a design approved by the county shall be installed by the developer at all intersections.

- (3) Water, sewer, drainage and utility lines, facilities and connections with dimensions shown; locations and dimensions of manufactured home stands and parking spaces; location and nature of firefighting facilities, including hydrants, fire extinguishers, and other firefighting equipment; location of dumpsters, location of fuel storage facilities and structures of high flammability.
- (4) Where appropriate, there shall be a statement from the director of public works, certifying approval of the street and drainage, water and sewer or utility system layout by the owner/operator.

(e) *Street standards for manufactured home parks.* An internal street system to furnish convenient access to manufactured home stands and other facilities in the park shall be designed such that connection to existing drainage and utility systems is convenient.

- (1) *Public streets.* Streets within a manufactured home park intended to be dedicated as public streets shall comply with the requirements of chapter 16 of this Code.
- (2) *Private streets.* Private streets shall meet the following requirements:
 - a. All internal streets shall be permanently paved with a durable dustproof, hard surface. Minimum pavement widths shall be twenty-four (24) feet for streets providing access to forty (40) or more manufactured home stands and eighteen (18) feet for streets providing access to less than forty (40) manufactured home stands. Widths shall be measured from curbface to curbface.
 - b. Dead-end streets shall be limited in length to four hundred (400) feet, shall be provided with cul-de-sacs with turning areas of not less than fifty (50) feet in radius, or with ``T", or ``Y" turning areas, and shall provide access to no more than twenty (20) manufactured home stands.
 - c. Streets shall be adapted to topography, shall follow the contours of the land as nearly as possible, and shall have safe grade and alignment. No grade shall exceed twelve (12) percent, or no curve shall have an outside radius of less than eighty (80) feet.
 - d. Applications for entrance permits to manufactured home parks from any public street or public road shall conform to the construction standards of the department of transportation.

- e. No request shall be made to have streets in a manufactured home park served by public streets unless and until the private streets have been dedicated and constructed, at no cost to the county or to the department of transportation, to the then current standards for public streets.

(f) *Vehicle parking in manufactured home parks.* Each manufactured home lot shall have at least two (2) paved or graveled parking spaces no closer than ten (10) feet to the manufactured home. A parking area shall be set aside in the manufactured home park to accommodate visitor parking or parking for additional vehicles owned by the occupants of the manufactured home park. At a minimum this parking area shall allow for one (1) parking space for each manufactured home lot and shall be located within one hundred fifty (150) feet of the manufactured home(s) which it serves.

(g) *Disposal of garbage and rubbish.* It shall be the responsibility of the manufactured home park management to collect or cause to be collected and disposed of garbage and rubbish as frequently as may be necessary.

(h) *Record of tenants for manufactured home parks.* The operator of a manufactured home park shall keep an accurate register of all tenants occupying manufactured homes located in the park. The register shall show the names and permanent resident address of the owner and occupants of any manufactured home located in the park; the make and registration of any manufactured home; the time and date of arrival and departure; and such other information as might be necessary to provide information about the occupants of the manufactured home. These records shall be open to the law enforcement officers, county commissioner of the revenue, and zoning administrator whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall be retained for a period of three (3) years following the date of departure of the registrant from the park. Additionally, at the beginning of each year the operator of a manufactured home park shall provide to the zoning administrator a current list of the owners and occupants of each home, address, and the lot on which they reside in the manufactured home park along with the make and registration of the manufactured home on each lot.

(i) *Bonding for construction of streets and utilities.* Prior to obtaining final approval of a manufactured home park site plan and before issuance of any permits for manufactured homes to be located within the park, the owner or developer of the park shall submit to the county a certified check, cash escrow, or letter of credit in the amount of the estimated cost of construction of the streets and utilities and manufacture and installation of the approved street signs. All regulations of the Rockingham County bonding policy shall be met.

Manufactured home subdivisions.

In addition to the requirements set out in section 17-138 and section 17-139, manufactured home subdivisions must also meet the following requirements:

(a) *Area, setback and lot requirements.* All manufactured home subdivisions shall meet the following minimum area and setback requirements:

- (1) Manufactured home subdivisions shall have a minimum area of at least ten (10) acres.
- (2) Each manufactured home lot within a manufactured home subdivision shall be a minimum of ten thousand (10,000) square feet with a minimum street frontage of fifty (50) feet.
- (3) No main or accessory building shall be located closer than thirty-five (35) feet from any street right-of-way. No main building shall be located closer than twenty-five (25) feet to any other property line of a manufactured home subdivision. No manufactured home shall be closer than fifteen (15) feet to any property line; and no other structure shall be located closer than five (5) feet to any property line.

(b) *Manufactured home subdivision accessory structures.* All manufactured home accessory structures in a manufactured home subdivision must meet the requirements of section 17-139.

(c) *Manufactured home subdivision application and site plan required with rezoning request.* Applicants for manufactured home subdivisions shall meet the following minimum requirements for site plans to be submitted with an application for zoning amendment to a manufactured home district:

- (1) Site plans shall be legibly drawn to scale.
- (2) A vicinity map showing the location and area of the proposed subdivision.
- (3) The boundary lines, area and boundary dimensions of the proposed subdivision.
- (4) The location and dimensions, if any, of all existing streets and street right-of-way, easements, water, sewerage, drainage facilities, and other community facilities and utilities on and adjacent to the proposed subdivision.

- (5) Proposed layout, including interior streets with dimensions; location and type of solid waste collection facilities; lot lines, dimensions, and areas of manufactured home lots; common open space and recreation areas, common parking areas, and other common areas; recreation building, if any, and other permanent structures.
- (6) The site plan shall be accompanied by a narrative statement describing how the standards and requirements set forth herein are to be met; a statement that there will be an adequate supply of potable water from either a public water supply system or from a private water system conforming to all applicable laws, regulations, resolutions and ordinances; and a statement that there will be an adequate sewer system. Both statements on water and sewer shall have preliminary approval from the health official and the director of public works, where appropriate.

(d) *Manufactured home subdivision--platting.* Upon zoning approval, platting of manufactured home subdivisions shall comply with chapter 16 of the county Code and shall be in substantial accordance with the site plan.

(e) *Street standards for manufactured home subdivisions.* An internal street system to furnish convenient access to manufactured home stands and other facilities in the subdivision shall be designed such that connection to existing drainage and utility systems is convenient.

- (1) *Public streets.* Streets within a manufactured home subdivision intended to be dedicated as public streets shall comply with the requirements of chapter 16 of this Code.
- (2) *Private streets.* Private streets shall meet the following requirements:
 - a. All internal streets shall be permanently paved with a durable dustproof, hard surface. Minimum pavement widths shall be twenty-four (24) feet for streets providing access to forty (40) or more manufactured home stands and eighteen (18) feet for streets providing access to less than forty (40) manufactured home stands. Widths shall be measured from curbface to curbface.
 - b. Dead-end streets shall be limited in length to four hundred (400) feet, shall be provided with cul-de-sacs with turning areas of not less than fifty (50) feet in radius, or with "T", or "Y" turning areas, and shall provide access to no more than twenty (20) manufactured home stands.

- c. Streets shall be adapted to topography, shall follow the contours of the land as nearly as possible, and shall have safe grade and alignment. No grade shall exceed twelve (12) percent or no curve shall have an outside radius of less than eighty (80) feet.
- d. Applications for entrance permits to manufactured home subdivisions from any public street or public road shall conform to the construction standards of the department of transportation.

(f) *Maintenance of private streets.* No conveyance in a manufactured home subdivision, whether by a developer or subsequent owner, of any lot fronting on a private right-of-way or easement shall be recorded unless the deed of conveyance is signed by the grantee and contains language and is accompanied by a duly recorded restrictive covenant to specify that:

- (1) No request shall be made to have the lot herein conveyed served by a public street unless and until the private street serving said lot has been dedicated and constructed, at no cost to the county or to the department of transportation, to the then current standards for streets.
- (2) The grantee is required to belong to a property owner's association for the maintenance of the private streets within the subdivision and is liable for payment of an annual assessment for the upkeep and maintenance of said private streets.
- (3) In lieu of the property owner's association provided in subparagraph (2) of this subsection such deed shall contain a provision for payment of a fixed annual assessment to developer or a third party for maintenance of said streets and in default thereof by developer or third party, the property owners shall take over such street maintenance and shall be empowered with the rights of developer or third party to make a fixed annual assessment.

(g) *Vehicle parking in manufactured home subdivisions.* Each off-street parking area shall be paved or graveled and have unobstructed access to either a public or private street.

(h) *Bonding for construction of streets and utilities.* Prior to obtaining final approval of the subdivision plat for a manufactured home subdivision and prior to the sale of any lots within the subdivision, the owner or developer of the subdivision shall submit to the county a certified check, cash escrow, or letter of credit in the amount of the estimated cost of construction of the streets and utilities. All regulations of the Rockingham County bonding policy shall be met.

